



11
7/3/02 CPA/2814
Molish
RECEIVED

REQUEST FORM FOR FILING A CONTINUING PROSECUTION APPLICATION (CPA)
UNDER 37 CFR 1.53(d)

JUN 27 2002
TECHNOLOGY CENTER 2800

Prior Application: S/N 09/558,588
Expected Art Unit: 2814
Expected Examiner: Douglas A. Wille

Box CPA
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

This is a request for filing a Continuing Prosecution Application (CPA) under 37 CFR 1.53(d), of pending prior application Serial Number 09/558,588, filed on April 26, 2000, entitled LED OF AlGaInP SYSTEM AND EPITAXIAL WAFER USED FOR SAME by the inventor(s) named below.

INVENTOR	RESIDENCE	CITIZENSHIP	POST OFFICE ADDRESS
Kenji SHIBATA	5-1, Aita-Cho 1-Chome, Hitachi-Shi Ibaraki-ken, Japan	Japanese	Same as residence
Masatomo SHIBATA	634 Higashi-Yama Danchi 7-605, Itaya Tsuchiura-shi Ibaraki-ken, Japan	Japanese	Same as residence
Taichiro KONNO	4-27, Otsuno 6- chome Tsuchiura-shi Ibaraki-ken, Japan	Japanese	Same as residence
Naoki KANEDA	317, Higashi-Yama Ryo 7-605, Itaya Tsuchiura-shi Ibaraki-ken, Japan	Japanese	Same as residence
Masahiro NOGUCHI	9-2, Kamiyai-cho, 2- Chome, Hitachi-Shi, Ibaraki-ken, Japan	Japanese	Same as residence

06/24/2002 YPOLITE1 00000069 09558588

01 FC:131
02 FC:102
03 FC:103

740.00 OP
252.00 OP
36.00 OP

Docket No. 3008-0003
File No. 521.41472X00
Client Ref: PHCA 99217
Page 2

1. ☐ Deletion of inventor(s) - The application is filed by fewer than all inventors named in the above-referenced prior application. Please delete the following inventors from this continuing prosecution application:
2. ☐ Please cancel claims_____.
3. ☐ Please enter the unentered Amendment filed under 37 CFR 1.116 on _____.
4. ☐ A Preliminary Amendment is enclosed.
5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application Serial No. 09/558,588 as amended at 2, 3 and 4 above.

	No of Claims		Extra Claims	Rate	Fee
Total Claims	22	Minus 20	2	x \$18.00	\$36.00
Independent Claims	6	Minus 3	3	x \$84.00	\$252.00
Basic Application Fee					\$740.00
If multiple dependent claims are presented, add \$270.00					
Total Application Fee					\$1,028.00
Subtract ½ if small entity					
Petition for ___ month extension of time					\$.00
TOTAL APPLICATION FEE DUE					\$1,028.00

- 6a. ☐ Enclosed is a Verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.
- 6b. ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 was filed in prior application Serial No. _____, the status is still proper and desired.
7. ☐ A petition for a ___ month extension of time for response to the final Official Action dated _____ is submitted herewith.

Docket No. 3008-0003
File No. 521.41472X00
Client Ref: PHCA 99217
Page 3

8. ☐ I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 USC § 122(b).

9. ☒ A Credit Card Payment Form in the amount of \$1,028.00 is submitted herewith. The Commissioner is hereby authorized to charge any other fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application Serial No. _____ or credit any overpayment to Deposit Account No. 01-2135.

10. ☒ The power of attorney in the prior application is to:

Alfred A. Stadnicki, Reg. No. 30,226

11. ☐ Also enclosed: Information Disclosure Statement; with PTO 1449.

Address all future communications to:

**Alfred A. Stadnicki
Antonelli, Terry, Stout & Kraus
1300 North Seventeenth Street
Arlington, VA 22209**

12. ☒ Two return receipt postcards are submitted herewith.

Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment, to Deposit Account No. 01-2135, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Docket No. 3008-0003
File No. 521.41472X00
Client Ref: PHCA 99217
Page 4

It is understood that secrecy under 35 USC 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.53(d) application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

Respectfully submitted

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in dark ink, appearing to read 'Alfred A. Stadnicki', with a stylized, sweeping flourish at the end.

Alfred A. Stadnicki
Registration No. 30,226

1300 North Seventeenth Street
Suite 1800
Arlington, VA 22209
Telephone (703) 312-6080
Facsimile (703) 312-6666
E-mail: astadnicki@antonelli.com
Date: June 27, 2002